

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERKELEY POLICE DEPARTMENT, et al.,

No. C-07-6126 MMC

Plaintiffs,

**ORDER DENYING MOTION FOR RELIEF
FROM ORDER REMANDING ACTION TO
STATE COURT**

v.

EMANUEL SIMON EL BEY, and MAKARE
AKHET ATEN SIMON EL BEY,

Defendants

The Court is in receipt of defendants' "Motion for Relief from Judgement/Order/ Remanding Action to State Court," filed February 7, 2008. By said motion, defendants seek reconsideration of the Court's December 28, 2007 order remanding the instant case to state court.

The Court construes defendants' motion as seeking relief under Rule 60(b) of the Federal Rules of Civil Procedure. So construed, the motion is DENIED, for the reason that defendants fail to identify any cognizable basis for reconsideration.

IT IS SO ORDERED.

Dated: February 8, 2008


MAXINE M. CHESNEY
United States District Judge